IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

RP.No. 834 of 2007(L)

AGAINST THE JUDGEMENT IN WPC.2841/2007 DATED 31/01/2007
.....

REVIEW PETITIONER/PETITIONER:

K.BASHEER, KOODATHAL, PADANILAM PO.,
KUNNAMANGALAM, KOZHIKODE.

BY ADV. SRI.O.D.SIVADAS.

RESPONDENTS:
----

1. **THE MANAGER,**
   STATE BANK OF TRAVANCORE,
   KALLAI BRANCH, KOZHIKODE.

2. **THE AUTHORISED OFFICER,**
   STATE BANK OF TRAVANCORE,
   REGION - II, REGIONAL OFFICE,
   KOZHIKODE.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.),
SRI.SAJI VARGHESE.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 14/09/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

C.M.Appl.No.369 OF 2007 &
R.P.No.834 OF 2007 IN W.P(C).2841 OF 2007

Dated this the 14th day of September, 2007

O R D E R

The writ petition was filed following proceedings under the SARFAESI Act. It was submitted at the time of hearing on behalf of the Bank that the outstandings is around Rs.1,00,400/-. Having regard to the totality of the facts and circumstances, the judgment sought to be reviewed was issued. Now, the petitioner essentially wants this Court to sit in judgment on disputed accounts. I say so because the contention of the petitioner, now, is that he has repaid a particular amount after availing the loan and that he has paid certain amounts after the judgment also and that therefore, he is not liable to pay the entire amount. I do not find any error on the face of the record of the judgment sought to be reviewed. No other grounds are made to entertain the revision and to review the judgment. Nor are such contentions liable to be adjudicated in a revision petition.

For the aforesaid reasons, application to condone delay and the review petition are dismissed. However, the Bank will consider affording the petitioner a last opportunity to wipe off the entire outstandings on or before 28.9.2007 to avoid compliance of proceedings under the SARFAESI act.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.